

Call to Order:

The meeting was called to order at 7:34 p.m. Present were Chair, Joan Duff, members Jay Doherty, Lelani Loder, and associate member Zach Bergeron; also present were Paul Materazzo, Director of Planning and Jacki Byerley, Town Planner. Member Eric Macaux called in to the meeting at 7:45p.m. Ms. Duff explained that per 946 CMR 29.10, a Board member may remotely participate in a meeting.

Doherty Middle School:

Ed Ataide, Superintendent of Buildings informed the Board that the site consisting of the Town Offices, School Administration Offices, Senior Center, Doherty Middle School and Youth Center currently has 296 parking spaces which will be increased to 333 spaces. The front circle of the Doherty School will be made to be ADA compliant with a handicap entrance and parking within 100 ft of the entrance. For security reasons, the building needs to be accessed from one main entrance. He showed on a map the spaces that were allocated for each buildings.

Ms. Byerley explained that according to the Zoning By-Law and the Table of Off-Street Parking Requirements, every municipal facility must come to the Planning Board for a parking determination for the use. The Inspector of Buildings has stated that the spaces to be provided are sufficient for all of the uses. Mr. Ataide added that there is a scheduling plan in place to prevent overlapping as much as possible. Mr. Doherty commented that the Senior Center does not have enough spaces and asked if more spaces are going to be provided to them. Mr. Ataide stated that 37 spaces have been added closer to their front entrance, and the plan also creates a bus lane for staging and a designated parent drop-off area to create more flow on the site.

On a motion by Ms. Loder, seconded by Mr. Doherty, the Board moved to approve 333 parking spaces as the required amount of parking for the municipal facilities located on Bartlet Street known as the Town Offices, Senior Center, Doherty Middle School and Youth Center. **Note:** Unanimous (3-0).

Warrant Articles 2013 Town Meeting:

Mr. Macaux was contacted by telephone at 7:45 p.m. and he joined the meeting. He confirmed that he could hear those in the audience and the Planning Board confirmed that the members could hear him.

Preliminary Warrant Articles P-51, P-52 and P-53 - ID2 District

Mr. Materazzo reviewed his memo to the Board regarding a potential amendment to the article for a 300 ft buffer from existing residences which is a provision already in the ID district zoning. He reviewed the proposed article and the map of the areas off of River Road and Dascomb Road that would be rezoned. He also went over the nine proposed additional uses and the checks and balances in the Special Permit Criteria. Mr. Doherty asked if the amendment would be put forth at Town Meeting. Mr. Materazzo answered that the amendment would be put forth on the floor of Town Meeting. The Board agreed that the amendment should be made to protect area residents. Mr. Bergeron added that he has spoken with a resident from the Dascomb Road area who has great concern about increased traffic at the interchange as well as pollution and trash. He reiterated that any development would have to mitigate traffic. Mr. Macaux added that he agrees with the buffer zone which can give comfort to the residents and not create new conflicts.

Warrant Articles 2013 – ID2 District (cont'd):

Stephen Brighton of 9 Somerset Drive asked how these areas off of River Road would be accessed. Mr. Materazzo explained that many existing buildings will be backfilled by this change so there may not be many new buildings to access. Mr. Brighton stated that the rents in Andover are a lot higher than in neighboring towns, so this needs to be kept in mind when thinking about retaining small to medium size businesses. Mr. Materazzo reminded him that the purpose of this article is based off of current businesses expressing that they cannot recruit and retain talent without extra amenities.

Greg Sebasky of 15 Muirfield Circle, Chairman of Philips Electronics in North America, addressed the Board as an area business person and as a former resident of Cobblestone Lane off of River Road for 21 years. He let the Board know that the main building of Philips at 200 Minuteman Road was built in 1977 and houses all 2,500 Philips Healthcare employees. It is also the headquarters of the administrative offices of Philips North America which were relocated from Manhattan four year ago. The buildings are rented and are at the end of their service life, so Philips has to decide if they want to stay and renovate the buildings or move. Philips is thinking about creating more of a campus atmosphere for their employees. They are finding that the millennials don't want to live or work in the suburbs if there is not adequate transportation. Philip would like to stay committed to Andover, but there is a push to move closer to the Anderson commuter rail station. Philips employees do not go to downtown Andover on their lunch break because it is too far.

Mr. Brighton asked why medical uses are being proposed if there is a medical building going in on Route 133. Mr. Materazzo answered that the building on Lowell Street is small at only 30,000 s.f., and he has fielded calls over the years from larger hospital type facilities that want to come to this market.

Barry DuBois of 152 North Street and 0 River Road, asked how many Philips employees live in the Merrimack Valley area. Mr. Sebasky stated he did not have that information with him, but he could get it. Mr. Dubois pointed out his property on the South side of River Road and stated that there is no way for his properties to have a 300 ft buffer from the zone. He questioned why the zoning is being brought all the way to Doyle Lumber. Ms. Byerley informed Mr. Dubois that the 300 ft buffer is from the structure, not from the zone itself. Mr. Materazzo informed him that it is being brought that far to mirror the current ID District. Mr. Dubois questioned if there were articles to rezone any of the residential districts in that area and he was informed by staff and the Board that there are no proposed articles to rezone residential areas in the Warrant. Mr. Dubois stated that most buildings in that area have onsite cafeterias that are more efficient than leaving for lunch. Schneider Electric is moving 1,000 employees in to Federal Street in 2014, and they want services. He asked what would be done to mitigate this situation for residents. Ms. Byerley explained that the purpose of the article is to allow for more uses. The next step for any proposal would be to go through the Special Permit Process through the Planning Board. Mr. Materazzo added that the nine uses proposed would be things that the Planning Board could consider to come to the area, not that have the right to go there. Barry Dubois said that he never needed any of these services when he worked in that area. Ms. Duff replied that every person is different in how they use their lunch hour. She also explained that each proposal would go through the interdepartmental review process.

Warrant Articles 2013 – ID2 District (cont’d):

Anil Navkal of 14 Rock O’Dundee Road stated that he works for Motorola in Lowell and 50% of the employees there leave for lunch even though there is a cafeteria onsite. In that area there are quite a few services that people use on their lunch hour. Andover has a nice school system, but it also needs a vibrant business community.

Mr. Sebasky reminded the Board that a generation of employees is approaching retirement age and businesses need to attract younger workers. Mr. Materazzo added that if Philips leaves their 1 million s.f. campus, it may be hard to replace the second largest employer in Town, which from a tax standpoint would be a big blow to the community.

Carlene Spires of 37 Greenwood Road asked where the uses would go. She anticipates that developers would want to attract people off of the highway. She also asked for a clarification on fast-food. Mr. Materazzo pointed out the vacant land and gave examples of fast-food. Ms. Loder explained that fast-food is also “grab and go” and gave an example that a sandwich shop, which is considered fast-food, may set up in the first floor of an office building.

Mr. Brighton pointed out a vacant parcel along Interstate 93 and a vacant parcel on Campanelli Drive and voiced concern on increased traffic that could come from the development from these parcels. He was informed that these parcels are already permitted for office buildings and could be developed as such at any time. He asked if the article could be worded to keep new construction out but allow for backfill of current buildings with those uses. Ms. Byerley pointed out that size limitations on retail to 25,000 s.f. will limit the amount of people that can go there at one time.

Mr. Materazzo reviewed the map of the rezoning and reiterated that the only thing being rezoned in the River Road area is the current ID district north of River Road as part of this article.

On a motion by Ms. Loder seconded by Mr. Doherty, the Board moved to close the public hearing on preliminary warrant articles P-51, P-52 and P-53. **Vote:** Unanimous (4-0) with Ms. Duff, Mr. Doherty, Ms. Loder and Mr. Macaux voting yes by roll call.

On a motion by Ms. Loder seconded by Mr. Doherty, the Board recommend for approval preliminary warrant articles P-51, P-52 and P-53. **Vote:** Unanimous (4-0) with Ms. Duff, Mr. Doherty, Ms. Loder and Mr. Macaux voting yes by roll call.

After the vote, Mr. Macaux disconnected from the meeting at 8:30 p.m.

Merrimack College:

Ms. Byerley informed the Board that Merrimack College was previously approved for 5 new residences to be built on campus. The original plan called for parking spaces close to the building, but Merrimack would now like to eliminate those spaces and provide extra landscaping there. Merrimack students can bring cars to campus only with a parking permit, which is available to Juniors and Seniors. Underclassmen can obtain a parking permit through a lottery if any are available, the number of which fluctuates year to year. Temporary parking has been created because of construction and it will continue to be used. Felipe Schwarz, Vice President

Merrimack College (cont'd):

of External Affairs for Merrimack College, handed out a campus map and pointed out the spaces that will be eliminated as well as the 100 new spaces that have been created because of this project. He also informed the Board that 200 additional spaces will come back online when this project and the Volpe expansion project are finished at the end of the summer. The campus also utilizes Zip car and a student shuttle service to cut down on students bringing cars on campus.

Mr. Doherty asked if Rock Ridge Road will be an access way to the parking. Mr. Schwarz stated that it was not and that the College will be installing a click to enter access gate there to prevent it from being used for anything besides egress from special events. Mr. Doherty suggested that they may want to put a fence up for the three abutters on that street. Ms. Byerley stated that fencing may be something that the College looks at if they come back for the sixth building that was initially proposed. Mr. Doherty added that fencing would be nice for the neighbors because kids use their yards as a shortcut. Mr. Schwarz stated that the College is doing what they can to stop that, especially when residents let them know if it is happening. He also showed how the pathway to Rock Ridge Road will no longer be a straight shot.

On a motion by Ms. Loder, seconded by Mr. Doherty the Board moved to determine the request submitted is a minor modification to Site Plan Review Dover use. **Vote:** Unanimous (3-0).

On a motion by Ms. Loder seconded by Mr. Doherty the Board moved to approve the modification as requested. **Vote:** Unanimous (3-0).

Warrant Articles 2013 Town Meeting:

The Board took up discussion on the warrant articles that the Board must take a vote on for bonding purposes.

Mr. Materazzo reviewed his memo dated April 17, 2013 that listed Town Meeting articles that he recommended the Board vote to take no action on.

On a motion by Ms. Loder seconded by Mr. Doherty, the Board voted to take no action on the articles listed in Mr. Materazzo's memo dated April 17, 2013. **Vote:** Unanimous (3-0).

The Board discussed Warrant Article 17, Ballardvale Fire Station Restoration. Mr. Materazzo informed the Board that both the Board of Selectmen and the Finance Committee have recommended disapproval. It is a private warrant article not sponsored by the Town. Mr. Doherty stated that he was wary of the article because there has not been a study done to know if \$500,000 is enough money for renovation.

On a motion by Ms. Loder seconded by Mr. Doherty, the Board voted to recommend disapproval of Warrant Article 17 Ballardvale Fire Station Restoration. **Vote:** Unanimous (3-0).

The Board discussed the Warrant Article 18 on the Doherty Middle School Site Improvements. Mr. Materazzo informed the Board that this article has been supported by the Board of Selectmen. Ms. Loder asked if the Planning Board should be taking a position on something that is not planning related. Mr. Doherty pointed out that the priority for this moved up due to the

Warrant Articles 2013 Town Meeting (cont'd):

Youth Center, and asked if this work was proposed for the summer, how will it work with the building of the Youth Center. Mr. Materazzo stated that from construction standpoint it is better to open the pavement once. The Board discussed if they want to abstain from giving an opinion on the financial aspects of certain articles.

On a motion by Ms. Loder seconded by Mr. Doherty, the Board voted to recommend for approval Warrant Article 18 Doherty Middle School Improvements and Warrant Article 32 AHS Tennis Court Renovations, but to leave the financial considerations up to the Finance Committee and the Board of Selectmen. **Vote:** Unanimous (3-0).

On a motion by Ms. Loder seconded by Mr. Bergeron, the Board voted to recommend for approval the Warrant Article 33, 141 Chandler Road Land Acquisition, but to leave the financial considerations up to the Finance Committee and the Board of Selectmen. **Vote:** Unanimous (3-0).

The Board discussed Warrant Articles 53 and 54 which pertain to the Reichhold land purchase. Ms. Byerley explained that Article 53 is how to purchase the land and Article 54 is how to use the land. Mr. Doherty expressed concern about buying more land from Reichhold when the Town has not yet used the land that was purchased 10 years ago, and the land will need a lot of work before it can be used. Ms. Byerley said that from a Planning perspective, the Town wants to have as much open space as possible. Mr. Materazzo also added that from a planning perspective, the Board should determine if it is the right land for the Town and worthwhile to acquire. Ms. Loder stated that acquiring more open space would be great for the Town, but right now the Town has other priorities. Ms. Duff commented that it is contiguous to what has already been purchased and this may be a onetime only opportunity. Ms. Doherty stated that 10 years ago this was a great idea, but things have changed and there are other priorities for the Town right now. Ms. Byerley stated that the Board could take no action on this article if they think it is a good idea but at the wrong time. Mr. Doherty commented that the land is almost in Tewksbury, so it may not be convenient for ball fields. Ms. Byerley stated that this has been part of Conservation's long range plan and they can only ask for so much at each Town Meeting. The Board decided to hold off on voting on these articles until the Board of Selectmen and the Finance Committee vote on them. The Board will further discuss these articles at a meeting to be scheduled before the start of Town Meeting.

The Board discussed and decided who the Planning Board representative would be for each Town Meeting Article.

Adjournment: The meeting was adjourned at 9:15 p.m.